

10/824,819
67010-087; H2699-GC

device in the controller of Alexander (6,701,402), combined with the Admitted Prior Art (APA) in view of Lui renders the claimed element of having a bus idle detection circuit *in the bus repeater* obvious. The combination of APA in view of Lui suggested by the examiner would not have been an obvious combination. The disclosure of Lui is directed towards remote environmental control of a room containing hundreds of storage devices. This differs vastly from the APA which is directed toward remote communication between a central computer and several remote terminals within a single vehicle. Since the disclosures of Lui and APA are to different types of systems which would have different requirements and different capabilities, it would not have been obvious to one having ordinary skill in the art to combine the two systems in the manner suggested by the examiner.

Furthermore, this rejection is a mere mechanical combination of references. Rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational basis to support a conclusion of obviousness. (See *KSR International Co. v. Teleflex Inc.* ___ U.S. ___, 127 S.Ct. 1727, 82 U.S.P.Q.2d 1385 (2007).) The examiner has merely claimed that the existence of bus idle detection circuitry in a controller would make the use of a bus idle detection circuit *in the bus repeater* of claims 7 and 13 obvious.

Therefore, the applicant requests that the examiner either provide articulated reasoning with some rational basis to support his combination or withdraw his 103(a) rejection.

The examiner additionally introduces a new 103(a) rejection of claims 8, 9, 11, 12, 14, and 15 based on the APA in view of Lui. As described above, the combination of APA in view of Lui would not have been obvious to a person having ordinary skill in the art.

Additionally, the examiner admits that the APA does not disclose a programmable device for the remote terminal. The examiner relies on the ability of the APA controller to control the ambient temperature to "show" a remote programmable device. As described above the examiner has provided no support for his assertion that controlling the ambient temperature is equivalent to "programming" and as such no "remote programmable" device is described in APA or in Lui, and their combination does not cure this defect. Therefore claim 8 is not obvious under 103(a) over APA in view of Lui, and neither are its dependent claims 9, 11, 12, 14, and 15.

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The examiner also introduces a new 103(a) rejection to claims 1-6 and 13 based on APA in view of Lui, and in further view of Alexander, III et al. (6,701,402). Since the combination suggested by the examiner would not have been obvious to one having ordinary skill in the art and fails to meet the bus idle detection circuit in the bus repeater element of claim 1, as described above, and the addition of Alexander does not cure these defects, a further rejection of the claims under 103(a) based on the previously suggested combination does not disclose all of the elements of claims 1-6 and 13 and therefore should be withdrawn.

Applicant believes that no fees are necessary at this time, however the Commissioner is authorized to charge deposit account No. 08-0385, in the name of Hamilton Sundstrand Corporation for any additional fees or credit the account for any overpayment.

Respectfully submitted,

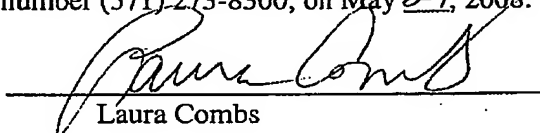


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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, fax number (571) 273-8300, on May 21, 2008.


Laura Combs